

**BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554**

Application of)	
)	
Echo Wireless Broadband, Inc.,)	
Assignor)	
)	
and)	WC Docket No. _____
)	
Resound Networks, LLC,)	
Assignee)	
)	
For Consent to Assignment of Domestic Section)	
214 Authorization)	
)	

To: Chief, Wireline Competition Bureau

APPLICATION FOR CONSENT TO ASSIGNMENT

Echo Wireless Broadband, Inc. (“Echo”) and Resound Networks, LLC (“Resound”) (together, the “Applicants”), pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (the “Act”), hereby respectfully request Commission consent, to the extent such consent is required, for the assignment of Echo’s domestic Section 214 authorization, which consists of Echo’s Connect America Fund (“CAF”) Phase II support obligations for certain census blocks in Texas and New Mexico.¹

As a recipient of CAF support, the Applicants understand that the Wireline Competition Bureau (“Bureau”) has determined that Echo holds an implied domestic Section 214 authorization. As described below, Resound and Echo have entered into an Asset Purchase Agreement (“Purchase Agreement”) by which Resound has agreed to purchase all of Echo’s assets, subject to required federal and state regulatory approvals. These assets include Echo’s fixed wireless broadband service as well as Echo’s CAF obligations in Texas and New Mexico.

¹ The census blocks for which Resound will assume Echo’s CAF obligations are listed in Exhibit 1 hereto.

In the first stage of the transaction, the parties have consummated the sale of Echo's existing broadband assets, which consists of broadband equipment, infrastructure and customers. Echo will exit the broadband access service business upon transfer of its CAF obligations. In the second stage of the transaction, which will follow receipt of required Commission and state regulatory approvals, Resound will assume Echo's CAF obligations. In connection with the second stage of the transaction, Echo will be relinquishing its eligible telecommunications carrier ("ETC") designations in Texas and New Mexico, and Resound will be expanding its ETC designations in those states. Resound is not acquiring any of Echo's telecommunications assets, services or customers in the CAF-supported areas.

The transaction will not result in any loss or impairment of service for either of the Applicant's customers and will have no adverse effects upon competition anywhere in the United States. The transaction will benefit future customers by enabling Resound to deploy CAF facilities in an efficient manner because the obligations it seeks to assume are for census blocks in close proximity to its existing network and the census blocks where Resound expects to be authorized to receive Rural Digital Opportunity Fund ("RDOF") support. The transaction will also not result in any harms to existing customers, so the Commission should find that the transaction will serve the public interest.

Applicants seek grant of authority on an expedited basis subject to the FCC's streamlined processing procedures.

I. DESCRIPTION OF THE APPLICANTS AND THE TRANSACTION

A. Echo Wireless Broadband, Inc.

Echo is a provider of fixed wireless broadband access internet service based in Brownwood, Texas. Prior to consummating the sale of its existing broadband business, Echo

provided broadband access service to approximately 2,000 residential and business customers in rural communities in central Texas. Echo does not provide any voice services to its existing customers.

On August 28, 2018, the Bureau announced that Echo was a winning bidder in the CAF Phase II auction for 439 census blocks (1,093 locations) in Texas and 200 census blocks (624 locations) in New Mexico.² The assigned support over 10 years is \$3,933,712.70 for Texas and \$1,542,197,80 for New Mexico. On February 11, 2019, the Texas Public Utility Commission (“Texas PUC”) designated Echo as an ETC for the Texas census blocks (Docket No. 49050). On November 19, 2018, the New Mexico Public Regulatory Commission (“New Mexico PRC”) voted to designate Echo as an ETC for the New Mexico census blocks (Docket No. 18-00304-UT).

On September 12, 2019, the Commission authorized the full amount of assigned support to Echo.³ Echo began receiving monthly support at the end of September, 2019. Echo has not yet established any telecommunications facilities or offered voice services pursuant to its ETC designations or CAF obligations.

B. Resound Networks, LLC

Based in Pampa, Texas, Resound was founded in 2015 and today provides fixed broadband access and voice services to more than 10,000 customers in Texas, New Mexico and Oklahoma. Resound uses primarily licensed and unlicensed spectrum, as well as fiber optic

² See *Connect America Fund Phase II Auction (Auction 903) Closes*, Public Notice 33 FCC Rcd 8257 (WCB 2018), Attachment A.

³ See *Connect America Fund Phase II Auction Support Authorized for 1,031 Winning Bid*, Public Notice, 34 FCC Rcd 8009 (WCB 2019), at Attachment A.

technology in various configurations. It has more than 30,000 connected users within a footprint that covers more than 250,000 locations in more than 100 communities.⁴

On December 7, 2020, the Bureau announced that Resound was a winning bidder for approximately \$310 million in RDOF support for census blocks across seven states – Texas, New Mexico, Arizona, Arkansas, Colorado, Kansas and Oklahoma. On February 22, 2021, the Texas PUC designated Resound as an ETC for the Texas census blocks (Docket No. 51679). On June 3, 2021, the New Mexico PRC voted to designate Resound as an ETC for the New Mexico census blocks (Docket No. 21-00003-UT).

C. The Transaction

On April 23, 2021, the Applicants entered into the Purchase Agreement under which Resound acquired certain assets of Echo. These assets consisted solely of the assets Echo was using to provide broadband access service to its existing customers, such as equipment, FCC licenses and customer accounts, and did not include any of the obligations applicable to the ETC designations or the CAF obligations. As part of the sale, Echo and Resound agreed to work together to effectuate the assignment to and assumption of those obligations by Resound. Prior to April 23, 2021, Echo had not yet undertaken to build, maintain or upgrade any facilities or services for which its CAF support was intended to be used. On the same date, Echo and Resound entered into two Interim Services Agreements – one for each state – through which Resound agreed “to construct, deploy, manage and maintain the CAF facilities in accordance with the CAF Obligation [of Echo] under the ultimate supervision and control of Echo, in material compliance with all applicable laws” until such time that Echo’s CAF obligations were

⁴ See letter from Stephen E. Coran, Counsel to Resound, to Marlene H. Dortch, FCC Secretary, WC Docket Nos. 10-90 & 19-126 and AU Docket No. 20-34 (filed June 10, 2021) (“Resound Ex Parte Letter”), Attachment at 4, 5.

assigned to Resound after receipt of required approvals. At the time Applicants entered into the Purchase Agreement, they did not appreciate that Echo's CAF authorization implied a domestic Section 214 authorization that would require prior Commission approval to be assigned.

On May 21, 2021, Resound and Echo jointly applied to the Texas PUC seeking approval for Echo to relinquish its Texas ETC designation and for Resound to expand its ETC designation to include the relinquished census blocks.⁵ On June 11, 2021, the Texas PUC released an order finding the Texas Application to be sufficient and establishing a procedural schedule.⁶ The order proposes August 24, 2021 as the effective date for relinquishment of Echo's ETC designation. Following the effective date and approval of this application, Resound plans to submit an acceptable letter of credit and bankruptcy opinion letter to USAC, and the Applicants plan to close this part of the transaction.

Echo and Resound have been advised by New Mexico PRC staff that, to effectuate the relinquishment of Echo's ETC designation in that state, Resound should file a notice in the Echo ETC docket indicating that Resound has assumed Echo's New Mexico ETC obligations. The Applicants plan to file such notice once the Commission approves this application, Resound submits an acceptable letter of credit and bankruptcy opinion letter to USAC, and the Applicants close on this part of the transaction.

II. EXPLANATION OF APPLICATION

In connection with the sale of Echo's assets under the Purchase Agreement, Resound has acquired Echo's existing broadband operations and, subject to grant of this application and state

⁵ Application of Echo Wireless Broadband, Inc. to Relinquish its ETC Designation and Application of Resound Networks, LLC for ETC Designation for the Service Area Previously Designated for Echo Wireless Broadband, Inc., Project No. 52147 (filed May 21, 2021) ("Texas Application"). A copy of the Texas Application is attached as Exhibit 2 hereto.

⁶ Order No. 2, Project No. 52147 (June 11, 2021). A copy is attached as Exhibit 3 hereto.

commission approval and notice, will acquire and assume Echo's obligations under the CAF program. No traditional wireline voice facilities or wireline voice customers are part of the transaction.

Both Echo and Resound have been designated as ETCs in Texas and New Mexico. For Echo, those designations were approved in connection with its CAF authorization; for Resound, those designations were approved in connection with its RDOF application, which Commission staff is reviewing. As discussed above, the Applicants have filed with the Texas PUC for approval for Echo to relinquish its Texas ETC designation and for Resound to assume those obligations. The Applicants expect Texas PUC approval on August 24, 2021. When Resound assumes the New Mexico CAF obligation, the Applicants will provide notice to the New Mexico PRC that Resound has assumed Echo's ETC obligations in that state, consistent with that commission's procedures.

In this application, the Applicants seek Commission approval for the assignment of Echo's implied domestic Section 214 authorization which Echo holds as an ETC and a CAF recipient for census blocks in Texas and New Mexico. Resound has already acquired Echo's non-CAF assets, which include its broadband operations in rural Texas. After consummation of this stage of the transaction, Resound will continue to exist and operate under the same name. At present, there are no customers receiving telecommunications services from Echo, so no rates, charges or conditions of service are impacted by the transaction. Going forward, Resound's rates, terms, and conditions of service will be undertaken pursuant to customers' contracts, tariffs, and applicable law, including the requirement to offer voice and broadband service at "reasonably comparable" rates. With respect to the CAF-supported areas, no carrier change

charges will result from the transaction, and no customer service or billing contact information will change as a result of the transaction.

III. PUBLIC INTEREST STATEMENT

Pursuant to Section 214 of the Act, the Commission will approve a proposed assignment of domestic Section 214 authorizations if it concludes that doing so would serve the public interest, convenience, and necessity based on the record before it.⁷ In making its decision, the Commission will inquire whether the transaction complies with relevant provisions of the Act, other applicable statutes, and the Commission's Rules, including whether the proposed transferee (or assignee, as the case may be) is qualified to hold the authorizations.

Consistent with these rules and precedents, the Applicants respectfully submit that the Commission should find that the proposed transaction is in the public interest and approve this Application. As the Commission is aware from its review and approval of Resound's short-form application (and its ongoing review of Resound's long-form application), Resound has both the necessary industry experience and requisite financial means to take on the responsibility of deploying CAF-supported voice and broadband service in the census blocks it proposes to assume from Echo. Resound has a history of providing quality, reliable service to its customers and expanding and upgrading service. By contrast, subject to required Commission and state regulatory approvals for the assignment of its CAF obligations, Echo has decided to exit the broadband business and will not deploy CAF-supported service in the subject census blocks upon transfer of the CAF obligations to Resound.

⁷ 47 U.S.C. § 214. *See, e.g., Applications of Level 3 Communications, Inc. and CenturyLink, Inc.*, Memorandum Opinion and Order, WC Docket No. 16-403, FCC 17-142, paras. 8-11 (rel. Oct. 30, 2017) (describing the Commission's standard of review for proposed transfers of control).

In its long-form application, Resound has provided the Commission with a financial plan demonstrating its ability to complete deployment and meet public interest obligations within the six-year buildout period. In the Resound Ex Parte Letter, Resound indicated that it had secured a letter of credit in the amount of \$31 million (one year of RDOF support) and had commitments from ownership to contribute up to \$500 million and an increased credit facility of up to \$100 million.⁸ Resound has doubled in size every year since its inception.

Echo's operations and the CAF-supported areas are adjacent to or nearby Resound's existing operations and its RDOF areas. Resound thus can achieve economies of scale and leverage its labor force, infrastructure and operational capabilities to rapidly and cost-effectively build out the Echo CAF areas as it expands its broadband operations.

Furthermore, the transaction will not result in any adverse alteration to the buildout plans Resound submitted to the Commission in order to be authorized to receive RDOF funding. Relatedly, the transaction will not result in any delays in deployment of services consistent with the applicable public interest obligations associated with receipt of CAF funding. Indeed, the Applicants anticipate that with the financial and human resources and operational efficiencies Resound will provide, consumers will be able to receive CAF services more quickly.

Because there will be no reduction in competitors in Echo's CAF-supported areas, there will be no negative impact on competition in the communications market anywhere in the United States, and the transaction will further facilitate the implementation of the Commission's important CAF program goals. Accordingly, approval of this transaction would serve the public interest.

⁸ Resound Ex Parte Letter, Attachment at 5.

IV. REQUEST FOR EXPEDITED REVIEW AND STREAMLINED PROCESSING

The Applicants respectfully request that the Commission act on this Application on an expedited and streamlined basis. Section 63.03(b) of the Commission's Rules sets forth specific criteria for presumptive streamlined processing.⁹ The specific situations covered are where: (1) both applicants are non-facilities-based carriers; (2) the transferee is not a telecommunications provider; or (3) the proposed transaction involves only the transfer of the local exchange assets of an incumbent LEC by means other than an acquisition of corporate control.¹⁰ All of these criteria are couched in the language of Title II common carriage, which means none is strictly applicable to the broadband providers that are the Applicants here. However, it is the case that Resound is not a current provider of services in the area where assets are changing hands, and though the specific terminology of "local exchange assets" and "an incumbent LEC" does not apply to this sale, it is the case that it involves only a sale of assets not involving an acquisition of corporate control. Accordingly, this is substantively the sort of transaction that should be subject to streamlined procedures.

As a practical matter, streamlined treatment is appropriate here because the application on its face does not present any meaningful competitive or public interest concerns. First, the CAF obligations changing hands cover only a small geographic area and do not involve a shift of any existing customers to a new provider. Second, there is no danger of market concentration as the CAF obligations are shifting from a small service provider that has exited the business to an experienced, well-financed provider with anticipated RDOF obligations in areas of Texas and New Mexico proximate to the areas Echo seeks to relinquish. Third, there is extensive

⁹ See 47 C.F.R. § 63.03(b).

¹⁰ *Id.*

competition within the state from other providers of similar services, and those competitors are expected to continue to operate in these areas after consummation of the planned asset sale. Moreover, neither Applicant currently competes in the market for interstate, interexchange services; neither currently provides competitive telephone exchange services or competitive exchange access services; and each of the Applicants has a very small market share in the voice and broadband marketplace. For all of these reasons, the transaction should not raise any competitive concerns. Accordingly, these facts demonstrate that streamlined treatment is appropriate.

Further, Resound holds Commission spectrum licenses and Commission staff has determined that Resound was eligible to participate in the RDOF auction. Commission staff is presently reviewing Resound's long-form application. Accordingly, Resound's qualifications are a matter of record before the Commission.

As a legal matter, the Commission has held that the "purpose of specifying presumptive streamlined categories is not to limit the types of applications that may obtain streamlined processing, but merely to provide greater assurance to potential applicants about the likely manner in which their applications will be processed by the Commission."¹¹ The Commission has explicitly rejected "rigid eligibility thresholds" for streamlined treatment precisely because such thresholds can "prevent[] applications that merit streamlining from receiving appropriate streamlined treatment."¹² Applicants therefore respectfully submit based on the facts and

¹¹ *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517, 5535 (¶ 34) (2002).

¹² *Id.* at 5532 n.59.

circumstances described herein that streamlined treatment is appropriate under the Commission's established case-by-case processing approach.¹³

V. INFORMATION REQUIRED UNDER SECTION 63.04 OF THE COMMISSION'S RULES RELATING TO AN ASSIGNMENT UNDER A DOMESTIC SECTION 214 AUTHORIZATION

In accordance with Section 63.04 of the Commission's Rules,¹⁴ the Applicants provide the following information:

(1) Name, address, and telephone number of each applicant.

Echo Wireless Broadband, Inc.
Echo Wireless Broadband, Inc.
4820 I-35 North
Waco, Texas 76705
Phone: (325) 200-2150
Email: seth@echowibb.com

Resound Networks, LLC
Resound Networks, LLC
100 N. Cuyler St.
Pampa, TX 79065
Attn: Regulatory
Telephone: (800) 806-1719
E-mail: regulatory@resoundnetworks.com

(2) State under the laws of which each applicant is organized.

Echo is a Texas corporation. Resound is a Texas limited liability company.

(3) Contact information for legal counsel to whom correspondence concerning the application is to be addressed.

For Echo
Jenny Roan Forgey
The Jones Law Firm
3724 Jefferson Street, Suite 310
Austin, TX 78731

¹³ *Id.* at 5535 (¶ 34).

¹⁴ *See* 47 C.F.R. § 63.04.

For Resound

Stephen E. Coran
Lerman Senter PLLC
2001 L Street, NW, Suite 400
Washington, DC 20036

(4) Name, address, citizenship, and principal business of entities that own at least ten percent (10%) of the equity of the applicants.

For Echo

Ryan Gibson
9918 Tara Oaks Drive
Woodway, TX 76712-7611
Owns 25% of Echo
U.S. Citizen

Mark Owen
399 Ruby Dell
Waco, TX 76705
Owns 25% of Echo
U.S. Citizen

Seth Thomason
800 Manchester Avenue
Prosper, TX 75078
Owns 50% of Echo
U.S. Citizen

For Resound

Curtis Resound Group
1050 N. Price Rd.
Pampa, TX 79065
Owns 16.49% of Resound
Texas limited liability company

Quentin C. Giles
119 Western St.
Pampa, TX 79065
Owns 10.84% of Resound
U.S. Citizen

Bryan E. Waldrip
12035 Berry Drive
Pampa, TX 79065
Owns 46.11% of Resound
U.S. Citizen

No other individual or entity holds 10% or more of Resound.

(5) Certification pursuant to Sections 1.2001 through 1.2003 that no party to the application is subject to a denial of Federal benefits.

By their signatures below, the Applicants each certify that no party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(6) Description of the Transaction.

The Applicants have entered into the Purchase Agreement pursuant to which Resound will assume Echo's CAF obligations in Texas and New Mexico upon approval by the Commission and state regulatory agencies. Echo is exiting the broadband business, and Resound has agreed to undertake Echo's CAF obligations. Resound will bring a number of attributes to the CAF areas that will benefit consumers. It has a larger labor force, greater financial resources, substantial managerial experience, and access to infrastructure in and near the CAF areas it will be assuming. Resound believes that this experience and know-how will result in expeditious deployment of CAF-supported facilities and services.

(7) Description of the geographic areas in which the Assignor and Assignee (and any of their affiliates) offer domestic telecommunications services, and what services are provided in each area.

Echo was a provider of broadband service using fixed wireless technology to connect homes, businesses and anchor institutions in central Texas. Echo did not offer voice services to its existing customers. It has sold these operations to Resound in the first stage of the

transaction, which did not involve any telecommunications assets or CAF obligations. Echo has been authorized to receive CAF support in the census blocks listed in Exhibit 1 hereto.

Resound provides fixed broadband service, including interconnected VoIP service, using both fiber and fixed wireless technology to homes, businesses and anchor institutions in rural areas of Texas, New Mexico and Oklahoma. The current transaction will allow the expansion of these services into the parts of Texas and New Mexico where Echo was designated as an ETC.

(8) Statement on how the application fits into one or more of the presumptive streamlined categories or why it is otherwise appropriate for streamlined treatment.

See Section IV above.

(9) Identification of all other Commission applications related to the same Transaction.

There are no other pending FCC applications related to this transaction. The FCC's Wireless Telecommunications Bureau consented to an assignment of 14 licenses from Echo to Resound on June 21, 2021 and a consummation notice was filed on June 28, 2021 (File No. 0009512344).

(10) Statement whether the applicants are requesting special consideration because either party to the Transaction is facing imminent business failure.

Neither party to this transaction is facing imminent business failure, and there are accordingly no requests for any special treatment of the Application based on such considerations.

(11) Identification of any separately filed waiver requests being sought in conjunction with the Transaction.

None. There is also no international Section 214 application required for this transaction as the parties provide only domestic services.

(12) A statement showing how grant of the application will serve the public interest, convenience, and necessity, including any additional information that may be necessary to show the effect of the proposed Transaction on competition in domestic markets.

Resound is an established broadband service provider that uses fixed wireless and fiber technology to deploy broadband service to homes and businesses in rural parts of Texas, New Mexico and Oklahoma. Resound has entered into an agreement to acquire Echo assets, including equipment and customer accounts, and assume Echo's CAF obligations in Texas and New Mexico pending approval by the Commission and state regulatory agencies. Echo's operations and the CAF areas are adjacent to or nearby Resound's existing operations and the areas where it is the auction winner for RDOF support. Resound has the scale and financial wherewithal to maintain and expand Echo's existing operations and to meet Echo's CAF buildout and performance obligations.

Echo has decided to exit the broadband business and relinquish its CAF obligations, and has determined that Resound has the resources and interest in deploying equipment and providing service in both the rural areas that Echo currently serves and the CAF areas. Consummation of the transaction will cause no reduction, impairment, disruption, or discontinuance of service to any customer. Following consummation, Resound will continue to provide high-quality service at the same rates, terms and conditions that are in effect today in the areas that each will serve following consummation. At the same time, the proposed assignment of assets poses no countervailing public interest or other harms. Accordingly, consent to the assignment of Echo's implied domestic 214 authorization would be consistent with the public interest.

V. CONCLUSION

For all of the foregoing reasons, Applicants respectfully request that the Commission grant on a streamlined basis any and all authority that may be necessary for consummation of the assignment of assets described herein. Alternatively, in the event that the Bureau concludes that no FCC approval is required, it should promptly dismiss this application as unnecessary with a brief explanatory note that no prior FCC approval is required.

Respectfully submitted,

ECHO WIRELESS BROADBAND, INC.

and

RESOUND NETWORKS, LLC

June 28, 2021

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Exhibit 1

[illegible]

[illegible]

[illegible]

[illegible]

Exhibit 2

(Exhibit B to Application omitted for brevity)

DOCKET NO. _____

APPLICATION OF ECHO WIRELESS §
BROADBAND, INC. TO RELINQUISH ITS §
ETC DESIGNATION and APPLICATION §
OF RESOUND NETWORKS, LLC FOR §
ETC DESIGNATION FOR THE SERVICE §
AREA PREVIOUSLY DESIGNATED FOR §
ECHO WIRELESS BROADBAND, INC. §
§

PUBLIC UTILITY COMMISSION
OF TEXAS

**APPLICATION OF ECHO WIRELESS BROADBAND, INC. TO RELINQUISH ITS
ETC DESIGNATION and APPLICATION OF RESOUND NETWORKS, LLC FOR ETC
DESIGNATION FOR THE SERVICE AREA PREVIOUSLY DESIGNATED FOR ECHO
WIRELESS BROADBAND, INC.**

COMES NOW, Echo Wireless Broadband, Inc. to submit its application to relinquish its ETC designation pursuant to P.U.C. SUBST. R. 26.418(j); and

COMES NOW, Resound Networks, LLC to respectfully submit its application for ETC designation in the service area currently served by Echo Wireless Broadband, Inc. pursuant to P.U.C. SUBST. R. 26.418(h) (collectively, the "Joint Application").

I. Legal Authority

P.U.C. SUBST. R. 26.418 of the Public Utility Commission of Texas (the "Commission," or, alternatively, the "PUC") allows the Commission to designate an Eligible Telecommunications Carrier ("ETC") for certain areas of the State in order to receive support from the federal universal service fund ("FUSF") pursuant to 47 United States Code Section 214(c).¹ P.U.C. SUBST. R. 26.418(j) allows the Commission to authorize the relinquishment of an ETC designation upon written notification not less than ninety (90) days prior to the proposed effective date.² P.U.C.

¹ P.U.C. SUBST. R. § 26.418. *See also* 47 U.S.C. § 214(c).

² *Id.* at 26.418(j)(1)(A).

SUBST. R. 26.418(h) outlines the process of applying for ETC designation generally. Pursuant to its own rules and federal law, the Commission has legal authority to act on this Joint Application.

II. Background Facts

On February 11, 2019, the Commission issued its Notice of Approval in Docket Number 49050 by which it designated Echo as an ETC “for the purpose of receiving federal universal service funding through a service area consisting of certain census blocks for which...[Echo had]...won...support...” pursuant to the Federal Communication Commission’s (“FCC”) Connect America Fund (“CAF”).³ The service areas referenced in the Notice of Approval are more particularly described in attached **Exhibit A** and shall be referred to collectively herein as the “Echo Service Area.”

On April 22, 2021, the Commission approved Resound’s application for ETC designation relative to the service areas awarded under the FCC’s Rural Digital Opportunity Fund (“RDOF”) program.⁴ Resound did not participate in the CAF auction for high-cost support; therefore, the ETC designation ordered by the PUC in April of this year was Resound’s first proceeding relative to ETC designation at the Commission. Resound’s current service areas for which it holds an ETC designation are more particularly described in attached **Exhibit B** and shall be referred to collectively herein as the “Resound Service Area.”

On April 23, 2021, Echo conveyed certain of its assets, but not its CAF obligation, to Resound according to that certain Asset Purchase Agreement dated April 23, 2021 (the “APA”) and via that certain Bill of Sale, Assignment and Assumption Agreement of even date therewith (the “Sale”). As part of the Sale, Echo and Resound agreed to work together to transfer Echo’s Service Area under CAF to Resound. They also executed that certain Interim Services Agreement (Texas) by and between Echo and Resound dated April 23, 2021 (the “ISA”) through which Resound agreed “to construct, deploy, manage and maintain the CAF facilities in accordance with the CAF Obligation [of Echo] under the ultimate supervision and control of Echo, in material compliance with all applicable laws...” until such time that Echo’s right to receive the CAF award

³ *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Notice of Approval (Feb. 11, 2019).

⁴ *Application of Resound Networks, LLC for Designation as an Eligible Telecommunications Carrier*, Docket No. 51679, Notice of Approval (April. 22, 2021).

and Echo's obligations under CAF are assigned to Resound.⁵ The Commission's approval of the Echo's relinquishment of its ETC designation as well as the Commission's approval of Resound as a designated ETC for the Echo Service Area are conditions of the assignment.

Upon approval by the Commission of this Joint Application, Echo will complete its assignment of the Service Area to Resound and will provide written notice to the FCC and update documentation with the Universal Service Administrative Company ("USAC") (which administers the CAF and RDOF programs on behalf of the FCC).

III. Echo's Application to Relinquish its ETC Designation

A. Echo's application to relinquish its ETC designation should be approved under P.U.C. SUBST. R. 26.418(j).

1. P.U.C. SUBST. R. 26.418(j)(1) and (j)(2) apply, but (j)(2) should control.

Though three other common carriers offer service to a small portion of the Echo Service Area, Echo is the sole ETC for the majority of the Echo Service Area.⁶ If the Commission chooses to apply P.U.C. SUBST. R. 26.418(j)(1) to this application, it would need to find that the remaining three common carriers are capable of offering FUSF and that adequate facilities may be built by any remaining carriers.⁷ Resound seeks that finding by its application *supra*. Therefore, designating resound as the replacement ETC for the Echo Service Area will satisfy P.U.C. SUBST. R. 26.418(j)(1) *de facto*.

2. Public notice requirement.

Public notice is required under the rule for entities seeking to relinquish their ETC designation.⁸ The rule states that:

The [C]ommission shall permit a common carrier to relinquish its designation as an ETC in any area served by more than one ETC upon: (A) written notification not less than 90 days prior to the

⁵ *Interim Services Agreement (Texas)* by and between Echo Wireless Broadband, Inc. and Resound Networks, LLC, dated April 23, 2021, at Section 3(c)(ii).

⁶ See *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Notice of Approval at page 2 (Feb. 11, 2019).

⁷ P.U.C. SUBST. R. 26.418(j)(1)(B) and (C).

⁸ P.U.C. SUBST. R. 26.418(j)(1)(A) and (2)(A).

proposed effective date that the common carrier seeks to relinquish its designation as an ETC;....⁹

In addition, P.U.C. SUBST. R. 26.418(j)(2) calls for the same 90-day notice period when the common carrier is the only ETC.¹⁰ P.U.C. SUBST. R. 26.418(h)(1)(A) outlines the notice requirement for an application filed under this rule. Namely, “the notice shall include at a minimum a description of the service area..., the proposed effective date of the designation, and...” a statement requesting comment.¹¹ Therefore, Echo requests that the Commission publish the requisite notice in the *Texas Register* immediately. A proposed form of Notice is attached hereto and incorporated herein as **Exhibit C** in compliance with the Commission requirements.¹²

B. Commission designation of a new ETC is in the public interest.

Echo is the sole ETC for the majority of the Echo Service Area,¹³ and, by its application below, Resound seeks ETC designation for the entire Echo Service Area. Though the rule does not require the Commission to designate a new ETC,¹⁴ because the Echo Service Area primarily includes areas where only one ETC is designated,¹⁵ the Commission should designate a new ETC for the Echo Service Area because it is in the best interest of the public.¹⁶ Failure to do so would leave a large portion of rural Texans without an ETC working to buildout facilities and provide services.

⁹ P.U.C. SUBST. R. 26.418(j)(1)(A).

¹⁰ P.U.C. SUBST. R. 26.418(j)(2)(A).

¹¹ P.U.C. SUBST. R. 26.418(h)(1)(A).

¹² *Id.*

¹³ See *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Notice of Approval at page 2 (Feb. 11, 2019).

¹⁴ See P.U.C. SUBST. R. 26.418(j)(2), which states “the commission may permit...”

¹⁵ See *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Notice of Approval at page 2 (Feb. 11, 2019).

¹⁶ Tex. Utilities Code § 11.002(a), which states “[t]his title is enacted to protect the public interest....”

IV. Resound's Application for ETC Designation

In Docket 49050, the PUC authorized the Echo Service Area for ETC designation.¹⁷ In Docket 51679, the PUC granted ETC designation to Resound for the Resound Service Area.¹⁸ Resound's qualification as an ETC, as previously authorized by the Commission, is applicable to the Echo Service Area as well.

A. Resound meets the qualifications for an ETC in the Echo Service Area.

Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act") grants the Commission the authority to designate an ETC for purposes of receiving universal service support if the applicant meets the requirements under Section 214(e)(1) of the Act. Applicants must be a common carrier; must offer services that are supported by the federal universal support mechanism under Section 254(c) of the Act and Section 54.101 of the Code of Federal Regulations; must use either their own facilities or a combination of their own facilities and resale of another carrier's services; and must advertise the availability of such services and the charges therefore using a media of general distribution.¹⁹ In addition, Section 214(e)(2) of the Act and Section 54.201(c) of the FCC's Rules allow the Commission to designate more than one common carrier as an ETC for an area already serviced by a rural telephone company provided each additional carrier satisfies Section 214(e)(1) of the Act and Section 54.201(d) of the FCC's Rules and such a finding is in the public's interest.

The Commission's own rules incorporate the federal requirements for ETC designation. P.U.C. SUBST. R. 26.418(d) states that a:

...common carrier shall be designated as eligible to receive federal universal support if it: (1) offers the services that are supported by the federal universal service support mechanisms under 47 C.F.R. § 54.101 either using its own facilities or a combination of its own facilities and resale of another carrier's services; and (2) advertises the availability

¹⁷ *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Notice of Approval (Feb. 11, 2019).

¹⁸ *Application of Resound Networks, LLC for Designation as an Eligible Telecommunications Carrier*, Docket No. 51679, Notice of Approval (Feb. 22, 2021).

¹⁹ 47 U.S.C. § 214(e)(1)(B), 47 C.F.R. § 54.201(d)(2), and P.U.C. SUBST. R. 26.418(h)(1)(B)(iii).

of and charges for such services using media of general distribution.²⁰

In addition, P.U.C. SUBST. R. 26.418(e) states that a common carrier must comply with subsection (d) of the Commission's rule, offer Lifeline Service in compliance with Part 54 of Title 47 of the Code of Federal Regulations (C.F.R.), and offer total limitation services according to 47 C.F.R. 54.400.²¹ If a common carrier satisfies these criteria, the Commission *shall* designate the carrier as an ETC.²² As detailed below, Resound satisfies each of the above-listed requirements; therefore, the Commission must grant its application for ETC designation.²³

1. Resound is a common carrier.²⁴

Section 214(e)(1) of the Act and Section 54.201(d) of the FCC's Rules, along with P.U.C. SUBST. R. 26.418(d), provide that applicants for ETC designation must be common carriers that will offer all of the services supported by universal service, either using their own facilities or a combination of their own facilities and the resale of another carrier's services.²⁵ To qualify as an ETC, Resound must first satisfy the common carrier requirement found in Section 214(e)(1) of the Act and P.U.C. SUBST. R. 26.418(c). "Common carrier" is defined by the United States Code as "any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or interstate or foreign radio transmission of energy, except where reference is made to common carriers not subject to this chapter; but a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier."²⁶

While the Act does not define internet service providers as "common carriers," it does clearly designate any company that will provide wire (telephone) or radio services as a common carrier.²⁷ Resound will provide broadband and voice connectivity via licensed or unlicensed point-

²⁰ P.U.C. SUBST. R. 26.418(d).

²¹ P.U.C. SUBST. R. 26.418(e) and 47 C.F.R. §§ 54.100-54.700.

²² See P.U.C. SUBST. R. 26.418(d), which states "A common carrier shall be designated as eligible to receive federal universal service support...."

²³ 47 C.F.R. § 54.202 and P.U.C. SUBST. R. 26.418.

²⁴ 47 U.S.C. § 214(e)(1), 47 C.F.R. § 54.201(d), and P.U.C. SUBST. R. 26.418(d).

²⁵ 47 U.S.C. § 214(e)(1) and P.U.C. SUBST. R. 26.418(d).

²⁶ 47 U.S.C. § 153(10).

²⁷ See, e.g., 47 U.S.C. § 201(a).

to-multipoint wireless connectivity.²⁸ Resound will also provide point-to-point terrestrial fixed wireless link, or fiber, directly to customer's premises. Because Resound will provide voice services, it qualifies as a common carrier under the Act.

2. Resound will provide service using its own facilities.²⁹

Under the ISA, pursuant to that Asset Purchase Agreement by and between Resound and Echo, and subject to the Commission's approval of this Joint Application, Resound shall build out the Echo Service Area with remaining CAF funds originally awarded to Echo. These facilities will be owned and operated solely by Resound.

Further, as stated in Docket 51679, Resound will use its own facilities to provide "supported services using its network infrastructure, consisting of last mile connections and network equipment and components,...[and]... to provide backhaul for interconnection via a combination of fiber and wireless microwave technologies."³⁰

Resound has deployed a next-generation fixed wireless network targeting rural markets outside of metropolitan areas that are either unserved or underserved. Resound utilizes cutting-edge RF, Fiber, and network technology to provide high-speed broadband and voice service throughout our service area. Resound is a terrestrial fixed wireless/fiber to the home internet service provider. Customers of Resound receive their broadband and voice connectivity via licensed or unlicensed point to multipoint wireless connectivity most typically. Resound customers are also connected to our network via point-to-point terrestrial fixed wireless link, or fiber to the premise. Its wireless offerings utilize spectrum throughout the RF band, including 5G band in the mmWave space.

Resound currently utilizes multi-homed, redundant network core components and diverse interconnectivity partners at enterprise data center locations to guarantee a robust core network. Each component of Resound's network is closely monitored to ensure capacity upgrades occur at

²⁸ For a more detailed discussion of Resound's "Fixed Wireless Voice & Broadband Information," see *Resound Networks, LLC – Application for Designation as a Eligible Telecommunications Carrier for Purposes of Receiving Federal Universal Service Support from the FCC Rural Digital Opportunity Fund*, Docket No. 51679, Application of Resound Networks, LLC for Designation as an Eligible Telecommunications Carrier for Purposes of Receiving Federal Universal Service Support from the FCC Rural Digital Opportunity Fund at page 5 (Jan. 5, 2021).

²⁹ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. § 54.201(d)(1), and P.U.C. SUBST. R. 26.418(d)(1).

³⁰ *Resound Application* at page 12.

no greater than 70% network peak utilization rate. Resound currently partners with a variety of interconnectivity partners for redundant, high-capacity fiber circuit middle mile architecture to tower sites and retransmission locations. Where fiber circuitry is not available, or is not financially feasible, Resound utilizes very high capacity licensed and unlicensed terrestrial fixed wireless point to point links for middle mile connectivity to tower sites and retransmission points. Middle mile point to point links utilize link aggregation grouping (LAG) for bandwidth aggregation and OSPF/BGP routing protocols to ensure automatic redundancy failover. In densely populated areas customers requiring gigabit tier throughput are serviced with fiber to the home. In moderately populated areas last mile customers requiring gigabit tier throughput are serviced with small cell deployments using mmwave nodes. Customer premise locations beyond the range of small cell connectivity in sparsely populated areas are connected using unlicensed or licensed point to point fixed wireless links. Resound has experience utilizing licensed and unlicensed spectrum bands efficiently to achieve very high throughput internet connectivity at long range and will continue to deploy wireless infrastructure in newly allocated frequency bands as additional spectrum becomes available.

3. Resound will offer all FUSF supported services and will comply with FUSF support requirements.³¹

a. Voice Service.³²

In its original application for ETC Designation, Resound committed to providing (i) voice grade access to the public switched telephone network ("PSTN") or its functional equivalent; (ii) minutes of use for local service provided at no additional charge to end users; (iii) access to emergency services; and (iv) toll limitation services to qualifying low-income consumers as provided in accordance with 47 C.F.R. §§ 54.400 *et seq.*³³ Resound commits to offering the same voice service within the Echo Service Area.

³¹ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. §§ 54.201(d)(1) and 54.101(a)(1), and P.U.C. SUBST. R. 26.418 (e)(1).

³² 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. § 54.101(a), and P.U.C. SUBST. R. 26.418(d), (e), and (h)(1)(B)(ii).

³³ *Resound Application* at page 9.

b. Broadband and Installation Service.³⁴

Pursuant to 47 C.F.R. 54.101(a)(2), Resound will provide broadband services with the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service.³⁵ Resound will provide low latency broadband services that can transmit data to and receive data by wire or radio from all or substantially all Internet endpoints (excluding dial-up service). It will provide at least the CAF-required performance and latency requirements, specifically: broadband speeds of at least ten megabits per second downstream and one megabit per second upstream with a network latency that is not higher than 100 milliseconds round trip.³⁶

c. Lifeline Service.³⁷

Resound commits to implementing Lifeline based on the current rules and regulations established by the FCC and administered by USAC. Specifically, Resound will offer its Lifeline service at \$9.25 less than its equivalent non-Lifeline service. In addition, Resound will advertise its Lifeline service via a dedicated Lifeline landing page with detailed information on how to apply for the service as well as how to contact USAC, with downloadable applications in both English and Spanish.

d. Toll-Limitation for Qualifying Low-Income Consumers.³⁸

Resound does not currently distinguish between toll and non-toll calls, but if Resound ever offers a service that distinguishes between them, it commits itself to offering toll limitation to qualifying low-income consumers at no additional charge.

³⁴ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. §§ 54.201(d)(1) and 54.101(a)(2), and P.U.C. SUBST. R. 26.418(e)(1).

³⁵ 47 C.F.R. § 54.101(a)(2).

³⁶ See Connect America Fund – FAQ's at fcc.gov. Last visited May 18, 2021 at 1:32 p.m.: <https://www.fcc.gov/consumers/guides/connect-america-fund-phase-ii-faqs#:~:text=Speed%3A%20Service%20providers%20must%20offer.and%20forth%20through%20a%20network>.

³⁷ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. §§ 54.202(a)(5)(6), 54.401, 54.402, and P.U.C. SUBST. R. 26.418(e)(2).

³⁸ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. § 54.401(c)(2), and P.U.C. SUBST. R. 26.418(e)(3).

e. Resound will advertise the availability of supported services.³⁹

As stated in its original application, Resound agrees to advertise the availability of FUSF supported services via media of general distribution throughout the Echo Service Area in a manner likely to reach those who qualify for services.⁴⁰ Samples of the types of advertisements Resound will utilize are attached and incorporated by this reference as **Exhibit D**.

f. The Echo Service Area that Resound seeks to add to its ETC service area is rural.⁴¹

As established in Docket 49050 and required by P.U.C. SUBST. R. 26.418, the Echo Service Area is rural.⁴²

g. A Proposed Form of Notice for this Docket is Attached.⁴³

Public notice is required under the rule for entities applying for ETC designation.⁴⁴ The rule states that “the notice shall include at a minimum a description of the service area for which the applicant seeks eligibility, the proposed effective date of the designation, and...” a statement requesting comment.⁴⁵ Therefore, Resound requests that the Commission publish the requisite notice in the *Texas Register* immediately. A proposed form of Notice is attached hereto and incorporated herein as **Exhibit E** in compliance with the Commission requirements.⁴⁶

h. Resound has the ability to remain functional in emergency situations.⁴⁷

i. Resound’s Network.

Resound will build out the network within the Echo Service Area in a manner consistent with its plans for the area covered by its original ETC designation. Specifically, Resound will ensure that its service has sufficient back-up power so that it will remain functional without an

³⁹ 47 U.S.C. § 214(e)(1)(B), 47 C.F.R. §§ 54.101 and 54.201(d), and P.U.C. SUBST. R. 26.418(d)(2).

⁴⁰ *Resound Application* at pages 11 and 13.

⁴¹ 47 U.S.C. § 214(e), 47 C.F.R. § 54.201(d), and P.U.C. SUBST. R. 26.418(c)(2).

⁴² For more detailed information on the Echo Service Area, see *Application of Echo Wireless Broadband, Inc. for Designation as an Eligible Telecommunications Carrier*, Docket No. 49050, Application at page 20 (Dec. 21, 2018).

⁴³ P.U.C. SUBST. R. 26.418(h)(1)(A).

⁴⁴ P.U.C. SUBST. R. 26.418(h)(1)(A).

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ 47 U.S.C. § 214(e)(1)(A), 47 C.F.R. § 54.202(a)(2), and P.U.C. SUBST. R. 26.418(d)(1).

external power source when an emergency arises. Resound has implemented a robust disaster recovery plan that encompasses solutions for all foreseeable outage and disaster situations. Redundancy and protection have been implemented throughout the network, from the data center cores to the customer premise.

Throughout the network redundant fiber routes have been installed to protect against fiber cuts. Out of band management is installed at every router site to ensure management and troubleshooting in the event of a total outage. An odd and even VLAN network topology has been implemented for lateral damage protection. Daily core and edge component configuration backups are established to ensure concurrent configurations are stocked in the event a network component swap must take place. Resound also maintains a 24/7 network operations center with continuous real time monitoring and alerting. 24/7 technical support and 24/7 on call field personnel are available to resolve any issues that may arise as expeditiously as possible. In the event of a tower location disaster, Resound maintains a stock of mobile towers to act as immediate tower site replacement. Resound has built out a geographically diverse dedicated hot standby disaster recovery core in the event of a regional outage or disaster scenario.

Data center and core network sites are outfitted with auto-sensing generator backup to prevent outage in the event of a power disruption. Remote relay sites are outfitted with robust battery backup systems to provide multiple days of battery backup power. Core and edge network components are configured with dual power supplies to protect against individual hardware component power failure. Hot spare network components are also stocked on-site in the event of total hardware failure. Corero SecureWatch DDOS mitigation is installed at the network edge to prevent DDOS attacks.

ii. Customer Hardware.

Resound's VoIP customer equipment includes a residential battery backup system that will allow up to eight (8) hours of voice service in the event of a power outage. Resound will provide each customer with a notification explaining how to use emergency services in the event of an emergency. For example, customers may move their VoIP device, which is movable, to different locations to access the Internet and plug it into an electric outlet.

iii. E-911 Service.

Resound will provide geocoded e-911 services through its VoIP offering via a third party 911 provider.

i. Resound is committed to consumer protection and service quality.⁴⁸

As an ETC for the Resound Service Area, Resound has committed to satisfying “all consumer protection and service quality standards as provided in 47 C.F.R. § 54.202(a)(3), as well as all applicable state specific consumer protection and service quality standards.”⁴⁹ Resound makes that same commitment now for the Echo Service Area.

j. Resound is financially and technically capable of providing service.⁵⁰

The Commission has already reviewed and approved Resound’s financial and technical capabilities in Docket 51679.⁵¹ In addition, Echo will assign to Resound the remaining CAF award originally granted to Echo under the ISA and APA once the PUC approves this Joint Application and both entities transfer the letter of credit required by the FCC.

k. Resound assumes the obligation to offer service.⁵²

Resound assumes the obligation to offer each of the supported services to any eligible consumer in its proposed service area.

B. Resound will comply with all applicable PUC and FCC reporting, remittance, and other regulatory obligations for the Echo Service Area upon approval of its application to amend its ETC service area.⁵³

Resound commits to complying with all applicable PUC and FCC reporting, remittance, and other regulatory obligations for the Echo Service Area upon approval of its application to amend its ETC service area.

⁴⁸ 47 U.S.C. § 254(b), 47 C.F.R. §§ 54.202(a)(3) and 54.309, and P.U.C. SUBST. R. 26.418(h)(1)(B)(i).

⁴⁹ *Resound Application* at page 16.

⁵⁰ 47 U.S.C. § 214(e), 47 C.F.R. § 54.202(a)(4), and P.U.C. SUBST. R. 26.418(d).

⁵¹ *See Application of Resound* at Notice of Approval (April 22, 2021).

⁵² P.U.C. SUBST. R. 26.418(h)(1)(B)(ii).

⁵³ 47 U.S.C. § 214(e), 47 C.F.R. § 54.202(a)(1), and P.U.C. SUBST. R. 26.418(k).

V. The FCC

The FCC has no formal role in the asset purchase between Resound and Echo because no operational telecommunications lines are being transferred by the entities. The FCC has a process in place to approve the transfer of control of lines or authorization to operate pursuant to section 214 of the Act,⁵⁴ but such process applies to entities that have telecommunications lines in operation.⁵⁵ Echo has begun the process of building out the Echo Service Area through preliminary work only; therefore, it does not have any operational lines to transfer. Under the FCC's rules, neither Echo nor Resound need to file anything with the FCC. Rather, as stated by the FCC in its Public Notice DA 21-466, dated April 23, 2021, once the Commission approves Resound's amendment to its ETC service area, USAC and the FCC will review Resound's eligibility to receive support and act upon its request to transfer the required Letter of Credit from Echo to Resound.⁵⁶ Resound's eligibility to receive support is contingent upon the Commission's designation of Resound as an ETC for the Echo Service Area. A copy of the FCC's public notice is attached as **Exhibit F** for reference.

VI. Expedited Relief via Information Disposition Requested

A. Notice of Approval or Proposed Order for Resound's Application for ETC Designation pursuant to P.U.C. SUBST. R. 22.35.

P.U.C. SUBST. R. 22.35 states that any application other than a major rate proceeding may be approved by the Commission without a hearing if the following three conditions are met:

- “(1) at least 15 days have passed since the completion of all notice requirements;
- (2) the decision is not adverse to any party other than the commission staff; and
- (3) the Commission finds that no hearing is necessary.”⁵⁷

Pursuant to the rule, Resound and Echo respectfully request informal disposition under P.U.C. SUBST. R. 22.35 with a Notice of Approval from the Commission approving Resound's Application for ETC Designation fifteen (15) days after the completion of the notice required by P.U.C. SUBST. R. 26.418(h)(1)(A). Alternatively, Resound and Echo respectfully request

⁵⁴ 47 U.S.C. § 214 and 47 C.F.R. §§ 63.03, 63.04.

⁵⁵ See 47 C.F.R. §§ 63.03(a).

⁵⁶ Federal Communications Commission, Public Notice DA 21-466 (April 23, 2021).

⁵⁷ P.U.C. SUBST. R. 22.35(a).

informal disposition under P.U.C. SUBST. R. 22.35 with a Commission Order prepared by the presiding officer pursuant to P.U.C. SUBST. R. 22.35(b)(2) approving Resound's Application for ETC Designation fifteen (15) days after the completion of the notice required by P.U.C. SUBST. R. 26.418(h)(1)(A).

Should the Commission deny the request for expedited approval of Resound's Application for ETC Designation, Echo and Resound respectfully request administrative review of Resound's application pursuant to P.U.C. SUBST. R. 26.418(h)(2)(A).

B. Effective date of Resound's ETC Designation.

Pursuant to P.U.C. SUBST. R. 26.418(h)(2)(A)(i), Echo and Resound respectfully request a Notice of Approval or Commission Order with an effective date of thirty (30) days after the submission of this joint application or thirty (30) days after notice is completed, whichever is later, on or about June 25, 2021.⁵⁸

C. Notice of Approval or Proposed Order for Echo's Application to Relinquish its ETC Designation pursuant to P.U.C. SUBST. R. 22.35.

Pursuant to P.U.C. SUBST. R. 22.35, Echo and Resound respectfully request informal disposition of Echo's application to relinquish its ETC designation with a Notice of Approval from the Commission approving Echo's application to relinquish fifteen (15) days after the completion of the notice required by P.U.C. SUBST. R. 26.418(j)(2)(A). Alternatively, Echo and Resound respectfully request informal disposition of Echo's application to relinquish its ETC designation a Commission Order prepared by the presiding officer pursuant to P.U.C. SUBST. R. 22.35(b)(2) approving Echo's application to relinquish fifteen (15) days after the completion of the notice required by P.U.C. SUBST. R. 26.418(j)(2)(A).

D. Effective Date of Echo's Relinquishment.

Pursuant to P.U.C. SUBST. R. 26.418(j)(2)(A), Echo and Resound respectfully request a Notice of Approval or Commission Order with an effective date not less than ninety (90) days after notice is published, which is on or about August 19, 2021.⁵⁹

⁵⁸ P.U.C. SUBST. R. 26.418(h)(2)(A).

⁵⁹ P.U.C. SUBST. R. 26.418(j)(2)(A).

VII. Conclusion

Because Resound satisfies the criteria for determination of ETCs in 47 U.S.C. § 214(e), 47 C.F.R. §§ 54.101 through 54.207, and P.U.C. SUBST. R. 26.418, and because offering internet broadband services and VoIP services, including Lifeline service, to the rural areas in the Echo Service Area is in the public interest, Echo and Resound respectfully request the Commission to approve this Joint Application by which, if approved, Resound will become a designated ETC for the Echo Service Area and Echo will relinquish its service area.

Dated: May 21, 2021

Respectfully submitted,

**ECHO WIRELESS BROADBAND, INC. and
RESOUND NETWORKS LLC**

/s/ Jenny Roan Forgey
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jforgey@thejoneslawfirm.com

*Attorney for Echo and Resound under a Joint
Representation Agreement*

DOCKET NUMBER _____

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on May 21, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Jenny Roan Forgey _____

Jenny Roan Forgey

Exhibit A
Echo's CAF Service Area

903	Echo Wireless Broadband, Inc.	21392634	481279502001001	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001002	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001005	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001024	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001059	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001113	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001163	TX-127-9502001	TX	Dimmit	481279502001

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	481279502001225	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001245	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001256	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001270	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001405	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001427	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001474	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001476	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001497	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001503	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001505	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279502001506	TX-127-9502001	TX	Dimmit	481279502001
903	Echo Wireless Broadband, Inc.	21392634	481279504001079	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001088	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001096	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001100	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001125	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001127	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001142	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001321	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001329	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001332	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001342	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001344	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001370	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001397	TX-127-9504001	TX	Dimmit	481279504001

Auction Id	Bidder	IBRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	481279504001419	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001438	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001473	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001487	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001713	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001738	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001767	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001878	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001894	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481279504001955	TX-127-9504001	TX	Dimmit	481279504001
903	Echo Wireless Broadband, Inc.	21392634	481319501005048	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005069	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005102	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005136	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005159	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005182	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005185	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005209	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005216	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005220	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005229	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005249	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005253	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005281	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005283	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319501005284	TX-131-9501005	TX	Duval	481319501005

Auction Id	Bidder	ECN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	481319501005294	TX-131-9501005	TX	Duval	481319501005
903	Echo Wireless Broadband, Inc.	21392634	481319502001008	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001024	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001057	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001062	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001088	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001152	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001240	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001560	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001642	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001659	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001676	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001705	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001736	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001745	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001749	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001754	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001756	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001757	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001775	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001779	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319502001783	TX-131-9502001	TX	Duval	481319502001
903	Echo Wireless Broadband, Inc.	21392634	481319505001001	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001013	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001027	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001031	TX-131-9505001	TX	Duval	481319505001

Auction Id	Bidder	FRN	BlockId	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	481319505001035	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001036	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001370	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001408	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001410	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001411	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001417	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001441	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001483	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001497	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001498	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001499	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001505	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001513	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001516	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001518	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001532	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001534	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001539	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001546	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001586	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001597	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001626	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001649	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001658	TX-131-9505001	TX	Duval	481319505001
903	Echo Wireless Broadband, Inc.	21392634	481319505001735	TX-131-9505001	TX	Duval	481319505001

Auction Id	Bidder	PRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	481659502002335	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	481659502002351	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	481659502002357	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	481659502002363	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	481659502002377	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	481659502002386	TX-165-9502002	TX	Gaines	481659502002
903	Echo Wireless Broadband, Inc.	21392634	482719501001019	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001031	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001045	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001049	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001062	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001070	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001077	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001115	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001125	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001191	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001192	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001197	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001240	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001241	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001242	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001243	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001249	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001251	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001277	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001314	TX-271-9501001	TX	Kinney	482719501001

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	482719501001315	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001323	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001338	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001345	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001350	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001351	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001353	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001356	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001366	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001367	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001368	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001372	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001375	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001385	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001388	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001392	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001399	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001412	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001418	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001419	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001420	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001422	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001439	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001444	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001445	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001446	TX-271-9501001	TX	Kinney	482719501001

Auction Id	Bidder	FRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	482719501001451	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001452	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001458	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001479	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001481	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001537	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001613	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001618	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001620	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001655	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001657	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001665	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001671	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001682	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001685	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001688	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001694	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001721	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001779	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001799	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001867	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001936	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001949	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001953	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001967	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001970	TX-271-9501001	TX	Kinney	482719501001

Auction Id	Bidder	FRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	482719501001976	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001983	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	482719501001986	TX-271-9501001	TX	Kinney	482719501001
903	Echo Wireless Broadband, Inc.	21392634	483239507001006	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001011	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001027	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001054	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001057	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001064	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001067	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001082	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001089	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001091	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001127	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001128	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001181	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001198	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001236	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001326	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001353	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001357	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001425	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001455	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001462	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001473	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001474	TX-323-9507001	TX	Maverick	483239507001

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	483239507001477	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001483	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001574	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001649	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001656	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001657	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001923	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001967	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001983	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	483239507001993	TX-323-9507001	TX	Maverick	483239507001
903	Echo Wireless Broadband, Inc.	21392634	484639501001210	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001262	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001287	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001291	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001350	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001351	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001393	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001503	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001509	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001517	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001525	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001542	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639501001557	TX-463-9501001	TX	Uvalde	484639501001
903	Echo Wireless Broadband, Inc.	21392634	484639502001108	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001146	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001150	TX-463-9502001	TX	Uvalde	484639502001

Auction Id	Bidder	FRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	484639502001156	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001162	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001379	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001427	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001433	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001466	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001487	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001506	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001531	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502001658	TX-463-9502001	TX	Uvalde	484639502001
903	Echo Wireless Broadband, Inc.	21392634	484639502002285	TX-463-9502002	TX	Uvalde	484639502002
903	Echo Wireless Broadband, Inc.	21392634	484639502002289	TX-463-9502002	TX	Uvalde	484639502002
903	Echo Wireless Broadband, Inc.	21392634	484639502002297	TX-463-9502002	TX	Uvalde	484639502002
903	Echo Wireless Broadband, Inc.	21392634	484639502002303	TX-463-9502002	TX	Uvalde	484639502002
903	Echo Wireless Broadband, Inc.	21392634	484639502003017	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003030	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003032	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003057	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003063	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003077	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003079	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003107	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003108	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003109	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502003221	TX-463-9502003	TX	Uvalde	484639502003
903	Echo Wireless Broadband, Inc.	21392634	484639502005078	TX-463-9502005	TX	Uvalde	484639502005

Auction Id	Bidder	FRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	484639502005080	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005104	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005110	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005159	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005230	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005321	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005352	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005353	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005449	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005485	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484639502005497	TX-463-9502005	TX	Uvalde	484639502005
903	Echo Wireless Broadband, Inc.	21392634	484759501002076	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002212	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002252	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002273	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002278	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002305	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002345	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002383	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002475	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002519	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002574	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002596	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002635	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002668	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002687	TX-475-9501002	TX	Ward	484759501002

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	484759501002690	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002692	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002696	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002698	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002699	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002700	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002701	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002706	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002707	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002716	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002723	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002759	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002777	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002785	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002786	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002787	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002788	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002790	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002792	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002793	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002798	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002799	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002800	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002803	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002804	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002809	TX-475-9501002	TX	Ward	484759501002

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	484759501002811	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002816	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002817	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002818	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002819	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002820	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002821	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002822	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002826	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002829	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002843	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002855	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002859	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002860	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002861	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002863	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002864	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002866	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501002973	TX-475-9501002	TX	Ward	484759501002
903	Echo Wireless Broadband, Inc.	21392634	484759501003000	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003074	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003328	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003330	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003365	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003757	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003760	TX-475-9501003	TX	Ward	484759501003

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	484759501003797	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484759501003855	TX-475-9501003	TX	Ward	484759501003
903	Echo Wireless Broadband, Inc.	21392634	484959504001000	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001001	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001003	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001041	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001101	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001114	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001126	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001135	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001351	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001388	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001685	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001692	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001651	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001673	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001682	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001696	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001702	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	484959504001775	TX-495-9504001	TX	Winkler	484959504001
903	Echo Wireless Broadband, Inc.	21392634	485079501001014	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001054	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001147	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001153	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001160	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001163	TX-507-9501001	TX	Zavala	485079501001

Auction Id	Bidder	PRN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	485079501001165	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001168	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001172	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001205	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001206	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001215	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001216	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001236	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001237	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001241	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001261	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001262	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001273	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001310	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001317	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001321	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001325	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001341	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001359	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001366	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001382	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001462	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001484	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001575	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001578	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001660	TX-507-9501001	TX	Zavala	485079501001

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	485079501001731	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001733	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079501001749	TX-507-9501001	TX	Zavala	485079501001
903	Echo Wireless Broadband, Inc.	21392634	485079502001075	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001112	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001162	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001176	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001178	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001353	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001452	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079502001555	TX-507-9502001	TX	Zavala	485079502001
903	Echo Wireless Broadband, Inc.	21392634	485079503011009	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011037	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011090	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011112	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011118	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011127	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011143	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011155	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011161	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011162	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011339	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011356	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011396	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011428	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011441	TX-507-9503011	TX	Zavala	485079503011

Auction Id	Bidder	ERN	Block Id	Item	State	County	Census Id
903	Echo Wireless Broadband, Inc.	21392634	485079503011442	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011444	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011460	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011467	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011483	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011488	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011503	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011629	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011698	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011704	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011738	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011754	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011755	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011764	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011776	TX-507-9503011	TX	Zavala	485079503011
903	Echo Wireless Broadband, Inc.	21392634	485079503011801	TX-507-9503011	TX	Zavala	485079503011

Exhibit B
Resound's CAF Service Area

See separate attachment labeled Exhibit B_Resound Service Area.

Exhibit C
Proposed Notice for the *Texas Register*

**NOTICE OF APPLICATION OF ECHO BROADBAND WIRELESS, INC. FOR
RELINQUISHMENT OF ITS DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER WITHIN CERTAIN CENSUS BLOCK IN THE
STATE OF TEXAS**

Pursuant to P.U.C. SUBST. R. 26.418(j), Echo Wireless Broadband, Inc. ("Echo") filed an application with the Public Utility Commission of Texas (the "PUC" or, alternatively, "Commission") on May 21, 2021, to relinquish its designation as an eligible telecommunications carrier ("ETC") within certain census blocks in the State of Texas. This application has been designated Project No. _____ by the Commission. Echo respectfully requests administrative processing and approval of its Application with an effective date of relinquishment of its ETC designation as of August 19, 2021, i.e., ninety (90) days after filing of notice, pursuant to P.U.C. SUBST. R. 26.418(j)(2)(A).

In late 2011, the Federal Communications Commission ("FCC") established the Connect America Fund ("CAF") to support the deployment of broadband and related advanced services in unserved and underserved areas in the United States. Following the most recent round of funding grants in the CAF Phase II Auctions (Auction 903), Echo Wireless was awarded support to deploy and operate broadband and Voice Over Internet-Protocol networks in the areas of Texas for which it has been awarded support. A list of the requested census blocks and a map identifying where in Texas the awarded census blocks are located are attached to Echo Wireless Broadband, Inc.'s ("Echo") application in PUC Docket No. 49050 as Exhibits 1-A, 1-B, 2-A, 2-B, 2-C, and 2-D. Echo now seeks to relinquish its ETC designation, as approved in PUC Docket No. 49050, so that Resound Networks, LLC may obtain ETC designation for the same area.

Persons who wish to comment on this application should notify the Public Utility Commission of Texas by August 9, 2021 (ten days before the proposed effective date of certification). Requests for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the Commission's Customer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the Commission at (512) 936-7136, or use Relay Texas at (800) 735-2989 to reach the Commission's toll-free number [(888) 782-8477].

**ISSUED ON BEHALF OF
THE PUBLIC UTILITY COMMISSION OF TEXAS
ON THE ____ DAY OF MAY 2021**

Exhibit D
Sample Resound Advertisements

800-806-1719



resound
Networks

FAST. RELIABLE. INTERNET.

RESIDENTIAL		COMMERCIAL	
10x5 Mbps	\$39.99	10x10 Mbps	\$69.00
25x10 Mbps	\$59.99	25x25 Mbps	\$89.00
50x25 Mbps	\$79.99	50x25 Mbps	\$109.00
100x50 Mbps	\$99.99	100x50 Mbps	\$139.00
250x15 Mbps \$149.99			
1 Gbps x 500 Mbps \$199.99			

need Wifi

Lifeline Discounted Voice
\$5.25 Reduction per month

Lifeline Discounted Internet
for 25 Mbps Package
Discounted Price - \$50.74/month

ALL PLANS INCLUDE UNLIMITED DATA!

WWW.RESOUNDNETWORKS.COM



Broadband Internet

**Solutions available for both
Residential and Commercial**

**Resound Networks
Phone: 800-806-1719
www.resoundnetworks.com**



Broadband Internet

1 Gbpsx500 Mbps - \$199.99

250x15 Mbps - \$149.99

100x50 Mbps - \$99.99

50x25 Mbps - \$79.99

25x10 Mbps - \$59.99

10x5 Mbps - \$39.99

Lifeline Discounted Voice

\$5.25 Reduction per month

**Lifeline Discounted Internet for
25 Mbps Package**

Discounted Price - \$50.74/month

Call Today with this Promo Code:

Exhibit E
Proposed Notice for the *Texas Register*

**NOTICE OF APPLICATION OF RESOUND NETWORKS, LLC FOR DESIGNATION
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
WITHIN CERTAIN CENSUS BLOCK IN THE STATE OF TEXAS VIA AMENDMENT
OF ITS CURRENT ETC SERVICE AREA**

Pursuant to P.U.C. SUBST. R. 26.418, Resound Networks, LLC ("Resound") filed an application with the Public Utility Commission of Texas (the "PUC" or, alternatively, "Commission") on May 21, 2021, for designation as an eligible telecommunications carrier ("ETC") within certain census blocks in the State of Texas via the amendment of its current ETC service area. This application has been designated Project No. _____ by the Commission. Resound respectfully requests administrative processing and approval of its Application with an effective date of certification as an ETC with an amended service area as of June 25, 2021, i.e., thirty (30) days after filing or notice is completed, pursuant to P.U.C. SUBST. R. 26.418(h)(2)(A)(i).

In late 2011, the Federal Communications Commission ("FCC") established the Connect America Fund ("CAF") to support the deployment of broadband and related advanced services in unserved and underserved areas in the United States. Following the most recent round of funding grants in the CAF Phase II Auctions (Auction 903), Echo Wireless was awarded support to deploy and operate broadband and Voice Over Internet-Protocol networks in the areas of Texas for which it has been awarded support. A list of the requested census blocks and a map identifying where in Texas the awarded census blocks are located are attached to Echo Wireless Broadband, Inc.'s ("Echo") application in PUC Docket No. 49050 as Exhibits 1-A, 1-B, 2-A, 2-B, 2-C, and 2-D. Resound seeks to amend its service area, as approved in PUC Docket No. 51679, to include the census blocks awarded to Echo.

Persons who wish to comment on this application should notify the Public Utility Commission of Texas by June 15, 2021 (ten days before the proposed effective date of certification). Requests for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the Commission's Customer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the Commission at (512) 936-7136, or use Relay Texas at (800) 735-2989 to reach the Commission's toll-free number [(888) 782-8477].

**ISSUED ON BEHALF OF
THE PUBLIC UTILITY COMMISSION OF TEXAS
ON THE ____ DAY OF MAY 2021**

Exhibit F
FCC Public Notice DA 21-466, for reference



PUBLIC NOTICE

Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 21-466

Released: April 23, 2021

**TRANSFER OF CONNECT AMERICA FUND PHASE II AUCTION SUPPORT TO
POINT BROADBAND FIBER HOLDINGS, LLC**

WC Docket No. 10-90

By this Public Notice, the Wireline Competition Bureau (Bureau), in coordination with the Rural Broadband Auctions Task Force, recognizes Point Broadband Fiber Holdings, LLC's (Point Broadband) authority to receive all Connect America Fund Phase II (Auction 903) support awarded to Crystal Automation Systems, Inc d/b/a Casair (Casair) not already disbursed to Casair as of September 2020.¹ In exchange for such support, Point Broadband assumes Casair's defined deployment obligations and voice and broadband service obligations for the State of Michigan. Specifically, Point Broadband must offer qualifying voice and broadband service to 17,610 qualifying locations as of December 31, 2025. In addition, Point Broadband assumes responsibility for complying with all other obligations of Auction 903 support recipients.² It is a violation of Commission rules to receive universal service support if that support is not used to provide, maintain, and upgrade voice and/or broadband facilities and services in eligible areas or if the recipient is no longer offering supported services.³

On July 15, 2019, the Bureau authorized Casair to receive a total \$27,299,086.90 over ten years for its winning bids in Michigan.⁴ Attendant to such award, Casair committed to deploying broadband service meeting the performance tier and latency requirements associated with its bids to 17,610 eligible locations in Michigan.⁵ On August 11, 2020, Casair and Point Broadband filed an application, pursuant to section 214 of the Communications Act of 1934, as amended, (the Act) and sections 63.03-04 of the Commission's rules, requesting consent to transfer certain assets of Casair to Point Broadband.⁶ Pursuant to the terms of the proposed transaction, Point Broadband would acquire from Casair, fiber infrastructure and customer service agreements, to provide broadband service in west central Michigan.⁷ On September

¹ Connect America Fund Phase II Auction Support Authorized for 2,413 Winning Bids, Public Notice, 34 FCC Red 5966 (2019) (*Authorization Public Notice*).

² In the *Authorization Public Notice*, we provided a summary of the various obligations of authorized Auction 903 support recipients that Point Broadband now assumes. The list is not a comprehensive list and Point Broadband is still responsible for conducting the due diligence required to comply with universal service fund requirements and the Commission's rules.

³ 47 U.S.C. § 254(c); 47 CFR §§ 54.7, 54.314.

⁴ *Authorization Public Notice*, Exhibit A.

⁵ *Id.*

⁶ 47 U.S.C. § 214; 47 CFR § 63.24(b); Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Crystal Automation Systems, Inc. d/b/a Casair by Point Broadband Fiber Holding, LLC, WC Docket No. 20-261 (filed Aug. 11, 2020) (Assignment Application).

⁷ Assignment Application at 8.

26, 2020, the Bureau granted this request.⁸ This transaction was consummated as of the end of September.

On February 4, 2020, Point Broadband petitioned the Michigan Public Services Commission (MPSC) for designation as an Eligible Telecommunications Carrier (ETC) in all census blocks where Casair was authorized to receive Auction 903 support.⁹ On April 15, 2020, the MPSC granted this request.¹⁰ On December 17, 2020, Casair submitted to the MPSC a request to relinquish its ETC designation, which remains pending.¹¹

USAC has reviewed Point Broadband's letter(s) of credit and Bankruptcy Code opinion letter(s) from legal counsel and both meet the Auction 903 requirements. Based upon our review of Point Broadband's financial and technical qualifications, including that it is an established broadband service provider in 5 states, we find that Point Broadband satisfies the criteria to be authorized to receive Connect America Phase II auction support in return for its commitment to provide service meeting the Auction 903 requirements.¹² Accordingly, the Universal Service Administrative Company (USAC) is authorized, as of the consummation of the transaction, to obligate and disburse from the Universal Service Fund all remaining Auction 903 support initially awarded to Casair. Such support will continue to be paid in monthly installments. USAC will make disbursement payments to the account on file for the 498 ID associated with the study area code (SAC) 319050.

For further information, please contact Nissa Laughner, Telecommunications Access Policy Division, Wireline Competition Bureau at 202-418-7400 or at TTY (202) 418-0484.

- FCC -

⁸ Notice of Domestic Section 214 Authorization Granted, WC Docket No. 20-261, Public Notice, 35 FCC Red 10494 (WCB 2020).

⁹ Application of Point Broadband Fiber Holding, LLC for designation as a high-cost eligible telecommunications carrier pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended, Amended Application of Point Broadband Fiber Holding, LLC to Add Census Blocks, Case No. U-20720 (filed Feb. 4, 2020, as amended, Feb. 27, 2020, Mar. 4, 2020).

¹⁰ Application of Point Broadband Fiber Holding, LLC for designation as a High Cost eligible telecommunications carrier pursuant to Section 214(3)(2) of the Communications Act of 1934, as amended, Order, Case No. U-20720 (rel. Apr. 15, 2020).

¹¹ Request for Relinquishment of Eligible Telecommunications Carrier Designation of Crystal Automation Systems, Inc. d/b/a Casair, Case No. U-20329 (filed Dec. 17, 2020).

¹² While Point Broadband did not participate in Auction 903, its wholly owned subsidiary, Sunset Digital Communications LLC, successfully completed an Auction 903 long-form application and on October 10, 2019, was authorized to receive CAF Phase II support for its winning bids in Tennessee and Virginia. *Connect America Fund Phase II Auction Support Authorized for 387 Winning Bids*, Public Notice, 34 FCC Red 9406 (WCB, RBATF, OEA 2019); Assignment Application at 6 (disclosing that Point Broadband owns 100% of Sunset Digital Communications, LLC).

Exhibit 3

PROJECT NO. 52147

2021 JUN 11 PM 4:13

APPLICATION OF ECHO WIRELESS § PUBLIC UTILITY COMMISSION
BROADBAND, INC. TO RELINQUISH §
ITS ETC DESIGNATION AND § OF TEXAS
APPLICATION OF RESOUND §
NETWORKS, LLC TO AMEND ITS §
ETC DESIGNATION §

ORDER NO. 2
FINDING APPLICATION AND NOTICE SUFFICIENT

This Order addresses the sufficiency of the May 21, 2021 application filed by Echo Wireless Broadband, Inc. to relinquish its eligible telecommunications carrier (ETC) designation and Resound Networks, LLC's application to amend its ETC designation. On May 27 and June 1 and 4, 2021, the applicant supplemented the application. On June 11, 2021, Commission Staff filed a recommendation on the sufficiency of the application and notice.

The administrative law judge finds the application, as supplemented, administratively complete for further review under 16 Texas Administrative Code (TAC) § 26.418(h) and notice sufficient.

The following proposed schedule applies for further processing:

Event	Deadline
Deadline to intervene	July 12, 2021 ¹
Deadline for intervenors to request a hearing	July 19, 2021
<i>If qualified for informal disposition:</i>	
Deadline for Commission Staff to request a hearing or submit its final recommendation	July 26, 2021
Proposed effective date of relinquishment	August 24, 2021

¹The 45-day intervention deadline falls on Saturday, July 10, 2021. The deadline moves to the next day the Commission is open for business, Monday, July 12, 2021, under 16 TAC § 22.4(a).

Signed at Austin, Texas the 11th day of June 2021.

PUBLIC UTILITY COMMISSION OF TEXAS

A handwritten signature in black ink, appearing to read "Christina Denmark", written over a horizontal line.

**CHRISTINA DENMARK
ADMINISTRATIVE LAW JUDGE**

DOCKET NO. 52147

APPLICATION OF ECHO WIRELESS	§	PUBLIC UTILITY COMMISSION
BROADBAND, INC. TO RELINQUISH	§	
ITS ETC DESIGNATION AND	§	OF TEXAS
APPLICATION OF RESOUND	§	
NETWORKS, LLC TO AMEND ITS ETC	§	
DESIGNATION	§	

PROTECTIVE ORDER

This Protective Order governs the use of all information deemed confidential (Protected Materials) or highly confidential (Highly Sensitive Protected Materials), including information whose confidentiality is currently under dispute, by a party providing information to the Public Utility Commission of Texas (Commission) or to any other party to this proceeding.

It is ORDERED that:

1. **Designation of Protected Materials.** Upon producing or filing a document, including, but not limited to, records on a computer disk or other similar electronic storage medium in this proceeding, the producing party may designate that document, or any portion of it, as confidential pursuant to this Protective Order by typing or stamping on its face "PROTECTED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. 52147" (or words to this effect) and consecutively Bates Stamping each page. Protected Materials and Highly Sensitive Protected Materials include the documents so designated, as well as the substance of the information contained in the documents and any description, report, summary, or statement about the substance of the information contained in the documents.
2. **Materials Excluded from Protected Materials Designation.** Protected Materials must not include any information or document contained in the public files of the Commission or any other federal or state agency, court, or local governmental authority subject to the Public Information Act.¹ Protected Materials also must not include documents or information which at the time of, or prior to disclosure in, a proceeding is or was public knowledge, or which becomes public knowledge other than through disclosure in violation of this Protective Order.

¹ Tex. Gov't Code § 552.001--.353.

3. **Reviewing Party.** For the purposes of this Protective Order, a “Reviewing Party” is any party to this docket.
4. **Procedures for Designation of Protected Materials.** On or before the date the Protected Materials or Highly Sensitive Protected Materials are provided to the Commission, the producing party is required to file with the Commission and deliver to each party to the proceeding a written statement, which may be in the form of an objection, indicating: (a) any exemptions to the Public Information Act claimed to apply to the alleged Protected Materials; (b) the reasons supporting the producing party’s claim that the responsive information is exempt from public disclosure under the Public Information Act and subject to treatment as protected materials; and (c) that counsel for the producing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.
5. **Persons Permitted Access to Protected Materials.** Except as otherwise provided in this Protective Order, a Reviewing Party may access Protected Materials only through its “Reviewing Representatives” who have signed the Protective Order Certification Form (see Attachment A). Reviewing Representatives of a Reviewing Party include its counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by the Reviewing Party and directly engaged in this proceeding. At the request of the PUC Commissioners, copies of Protected Materials may be produced by Commission Staff. The Commissioners and their staff must be informed of the existence and coverage of this Protective Order and will observe the restrictions of the Protective Order.
6. **Highly Sensitive Protected Material Described.** The term “Highly Sensitive Protected Materials” is a subset of Protected Materials and refers to documents or information that a producing party claims is of such a highly sensitive nature that making copies of such documents or information or providing access to such documents to employees of the Reviewing Party (except as specified herein) would expose a producing party to unreasonable risk of harm. Highly Sensitive Protected Materials include but are not limited to: (a) contractual information pertaining to contracts that specify that their terms are confidential or that are confidential pursuant to an order entered in litigation to which the

producing party is a party; (b) wholesale transactions information and/or market-sensitive marketing plans; and (c) business operations or financial information that is commercially sensitive. Documents or information so classified by a producing party must bear the designation "HIGHLY SENSITIVE PROTECTED MATERIALS PROVIDED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. 52147" (or words to this effect) and must be consecutively Bates Stamped. The provisions of this Protective Order pertaining to Protected Materials also apply to Highly Sensitive Protected Materials, except where this Protective Order provides for additional protections for Highly Sensitive Protected Materials. In particular, the procedures herein for challenging the producing party's designation of information as Protected Materials also apply to information that a producing party designates as Highly Sensitive Protected Materials.

7. **Restrictions on Copying and Inspection of Highly Sensitive Protected Material.**

Except as expressly provided herein, only one copy may be made of any Highly Sensitive Protected Materials except that additional copies may be made to have sufficient copies for introduction of the material into the evidentiary record if the material is to be offered for admission into the record. The Reviewing Party is required to maintain a record of all copies made of Highly Sensitive Protected Material and must send a duplicate of the record to the producing party when the copy or copies are made. The record must specify the location and the person possessing the copy. Highly Sensitive Protected Material must be made available for inspection only at the location or locations provided by the producing party, except as specified by Paragraph 9. Limited notes may be made of Highly Sensitive Protected Materials, and such notes must themselves be treated as Highly Sensitive Protected Materials unless such notes are limited to a description of the document and a general characterization of its subject matter in a manner that does not state any substantive information contained in the document.

8. **Restricting Persons Who May Have Access to Highly Sensitive Protected Material.**

With the exception of Commission Staff, the Office of the Attorney General (OAG), and the Office of Public Utility Counsel (OPC), and except as provided herein, the Reviewing Representatives for the purpose of access to Highly Sensitive Protected Materials may be persons who are (a) outside counsel for the Reviewing Party, (b) outside consultants for the Reviewing Party working under the direction of Reviewing Party's counsel, or (c) employees of the Reviewing Party working with and under the direction of Reviewing

- Party's counsel who have been authorized by the presiding officer to review Highly Sensitive Protected Materials. The Reviewing Party must limit the number of Reviewing Representatives that review Highly Sensitive Protected Materials to the minimum number of persons necessary. The Reviewing Party is under a good faith obligation to limit access to each portion of any Highly Sensitive Protected Materials to two Reviewing Representatives whenever possible. Reviewing Representatives for Commission Staff, OAG, and OPC, for the purpose of access to Highly Sensitive Protected Materials, must consist of their respective counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by them and directly engaged in these proceedings.
9. **Copies Provided of Highly Sensitive Protected Material.** A producing party is required to provide one copy of Highly Sensitive Protected Materials specifically requested by the Reviewing Party to the person designated by the Reviewing Party who must be a person authorized to review Highly Sensitive Protected Material under Paragraph 8. Representatives of the Reviewing Party who are authorized to view Highly Sensitive Protected Material may review the copy of Highly Sensitive Protected Materials at the office of the Reviewing Party's representative designated to receive the information. Any Highly Sensitive Protected Materials provided to a Reviewing Party may not be copied except as provided in Paragraph 7. The restrictions contained herein do not apply to Commission Staff, OPC, and the OAG when the OAG is representing a party to the proceeding.
10. **Procedures in Paragraphs 10-14 Apply to Commission Staff, OPC, and the OAG and Control in the Event of Conflict.** The procedures in Paragraphs 10 through 14 apply to responses to requests for documents or information that the producing party designates as Highly Sensitive Protected Materials and provides to Commission Staff, OPC, and the OAG in recognition of their purely public functions. To the extent the requirements of Paragraphs 10 through 14 conflict with any requirements contained in other paragraphs of this Protective Order, the requirements of these Paragraphs control.
11. **Copy of Highly Sensitive Protected Material to be Provided to Commission Staff, OPC and the OAG.** When, in response to a request for information by a Reviewing Party, the producing party makes available for review documents or information claimed to be

Highly Sensitive Protected Materials, the producing party is required to also deliver one copy of the Highly Sensitive Protected Materials to the Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) in Austin, Texas. Provided however, that in the event such Highly Sensitive Protected Materials are voluminous, the materials will be made available for review by Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) at the designated office in Austin, Texas. The Commission Staff, OPC (if OPC is a party) and the OAG (if the OAG is representing a party) may request such copies as are necessary of such voluminous material under the copying procedures specified herein.

12. **Delivery of the Copy of Highly Sensitive Protected Material to Commission Staff and Outside Consultants.** The Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by them to the appropriate members of their staff for review, provided such staff members first sign the certification specified by Paragraph 15. After obtaining the agreement of the producing party, Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by it to the agreed, appropriate members of their outside consultants for review, provided such outside consultants first sign the certification in Attachment A.
13. **Restriction on Copying by Commission Staff, OPC and the OAG.** Except as allowed by Paragraph 7, Commission Staff, OPC and the OAG may not make additional copies of the Highly Sensitive Protected Materials furnished to them unless the producing party agrees in writing otherwise, or, upon a showing of good cause, the presiding officer directs otherwise. Commission Staff, OPC, and the OAG may make limited notes of Highly Sensitive Protected Materials furnished to them, and all such handwritten notes will be treated as Highly Sensitive Protected Materials as are the materials from which the notes are taken.
14. **Public Information Requests.** In the event of a request for any of the Highly Sensitive Protected Materials under the Public Information Act, an authorized representative of the Commission, OPC, or the OAG may furnish a copy of the requested Highly Sensitive Protected Materials to the Open Records Division at the OAG together with a copy of this

Protective Order after notifying the producing party that such documents are being furnished to the OAG. Such notification may be provided simultaneously with the delivery of the Highly Sensitive Protected Materials to the OAG.

15. **Required Certification.** Each person who inspects the Protected Materials must, before such inspection, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket, and that I have been given a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. 52147. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated herein must not apply.

In addition, Reviewing Representatives who are permitted access to Highly Sensitive Protected Material under the terms of this Protective Order must, before inspection of such material, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

The Reviewing Party is required to provide a copy of each signed certification to Counsel for the producing party and serve a copy upon all parties of record.

16. **Disclosures between Reviewing Representatives and Continuation of Disclosure Restrictions after a Person is no Longer Engaged in the Proceeding.** Any Reviewing Representative may disclose Protected Materials, other than Highly Sensitive Protected Materials, to any other person who is a Reviewing Representative provided that, if the person to whom disclosure is to be made has not executed and provided for delivery of a signed certification to the party asserting confidentiality, that certification must be executed prior to any disclosure. A Reviewing Representative may disclose Highly Sensitive Protected Material to other Reviewing Representatives who are permitted access to such

material and have executed the additional certification required for persons who receive access to Highly Sensitive Protected Material. In the event that any Reviewing Representative to whom Protected Materials are disclosed ceases to be engaged in these proceedings, access to Protected Materials by that person must be terminated and all notes, memoranda, or other information derived from the protected material must either be destroyed or given to another Reviewing Representative of that party who is authorized pursuant to this Protective Order to receive the protected materials. Any person who has agreed to the foregoing certification is required to continue to be bound by the provisions of this Protective Order so long as it is in effect, even if no longer engaged in these proceedings.

17. **Producing Party to Provide One Copy of Certain Protected Material and Procedures for Making Additional Copies of Such Materials.** Except for Highly Sensitive Protected Materials, which must be provided to the Reviewing Parties under Paragraph 9, and voluminous Protected Materials, the producing party is required to provide a Reviewing Party one copy of the Protected Materials upon receipt of the signed certification described in Paragraph 15. Except for Highly Sensitive Protected Materials, a Reviewing Party may make further copies of Protected Materials for use in this proceeding according to this Protective Order, but a record must be maintained as to the documents reproduced and the number of copies made, and upon request the Reviewing Party is required to provide the party asserting confidentiality with a copy of that record.
 18. **Procedures Regarding Voluminous Protected Materials.** 16 Texas Administrative Code (TAC) § 22.144(h) will govern production of voluminous Protected Materials. Voluminous Protected Materials will be made available in the producing party's voluminous room, in Austin, Texas, or at a mutually agreed upon location, Monday through Friday, 9:00 a.m. to 5:00 p.m. (except on state or Federal holidays), and at other mutually convenient times upon reasonable request.
 19. **Reviewing Period Defined.** The Protected Materials may be reviewed only during the Reviewing Period, which will commence upon entry of this Protective Order and continue until the expiration of the Commission's plenary jurisdiction. The Reviewing Period will reopen if the Commission regains jurisdiction due to a remand as provided by law. Protected materials that are admitted into the evidentiary record or accompanying the
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evidentiary record as offers of proof may be reviewed throughout the pendency of this proceeding and any appeals.

20. **Procedures for Making Copies of Voluminous Protected Materials.** Other than Highly Sensitive Protected Materials, Reviewing Parties may take notes regarding the information contained in voluminous Protected Materials made available for inspection or they may make photographic, mechanical or electronic copies of the Protected Materials, subject to the conditions in this Protective Order; provided, however, that before photographic, mechanical or electronic copies may be made, the Reviewing Party seeking photographic, mechanical or electronic copies must provide written confirmation of the receipt of copies listed on Attachment B of this Protective Order identifying each piece of Protected Materials or portions thereof the Reviewing Party will need.
21. **Protected Materials to be Used Solely for the Purposes of These Proceedings.** All Protected Materials must be made available to the Reviewing Parties and their Reviewing Representatives solely for the purposes of these proceedings. Access to the Protected Materials may not be used in the furtherance of any other purpose, including, without limitation: (a) any other pending or potential proceeding involving any claim, complaint, or other grievance of whatever nature, except appellate review proceedings that may arise from or be subject to these proceedings; or (b) any business or competitive endeavor of whatever nature. Because of their statutory regulatory obligations, these restrictions do not apply to Commission Staff or OPC.
22. **Procedures for Confidential Treatment of Protected Materials and Information Derived from Those Materials.** Protected Materials, as well as a Reviewing Party's notes, memoranda, or other information regarding or derived from the Protected Materials are to be treated confidentially by the Reviewing Party and must not be disclosed or used by the Reviewing Party except as permitted and provided in this Protective Order. Information derived from or describing the Protected Materials must be maintained in a secure place and must not be placed in the public or general files of the Reviewing Party except in accordance with the provisions of this Protective Order. A Reviewing Party must take all reasonable precautions to ensure that the Protected Materials including notes and analyses made from Protected Materials that disclose Protected Materials are not viewed or taken by any person other than a Reviewing Representative of a Reviewing Party.

23. **Procedures for Submission of Protected Materials.** If a Reviewing Party tenders for filing any Protected Materials, including Highly Sensitive Protected Materials, or any written testimony, exhibit, brief, motion or other type of pleading or other submission at the Commission or before any other judicial body that quotes from Protected Materials or discloses the content of Protected Materials, the confidential portion of such submission must be filed and served in sealed envelopes or other appropriate containers endorsed to the effect that they contain Protected Material or Highly Sensitive Protected Material and are sealed pursuant to this Protective Order. If filed at the Commission, such documents must be marked "PROTECTED MATERIAL" and must be filed under seal with the presiding officer and served under seal to the counsel of record for the Reviewing Parties. The presiding officer may subsequently, on his/her own motion or on motion of a party, issue a ruling respecting whether or not the inclusion, incorporation or reference to Protected Materials is such that such submission should remain under seal. If filing before a judicial body, the filing party: (a) must notify the party which provided the information within sufficient time so that the producing party may seek a temporary sealing order; and (b) must otherwise follow the procedures in Rule 76a, Texas Rules of Civil Procedure.
24. **Maintenance of Protected Status of Materials during Pendency of Appeal of Order Holding Materials are not Protected Materials.** In the event that the presiding officer at any time in the course of this proceeding finds that all or part of the Protected Materials are not confidential or proprietary, by finding, for example, that such materials have entered the public domain or materials claimed to be Highly Sensitive Protected Materials are only Protected Materials, those materials will nevertheless be subject to the protection afforded by this Protective Order for three (3) full working days, unless otherwise ordered, from the date the party asserting confidentiality receives notice of the presiding officer's order. Such notification will be by written communication. This provision establishes a deadline for appeal of a presiding officer's order to the Commission. In the event an appeal to the Commissioners is filed within those three (3) working days from notice, the Protected Materials must be afforded the confidential treatment and status provided in this Protective Order during the pendency of such appeal. Neither the party asserting confidentiality nor any Reviewing Party waives its right to seek additional administrative or judicial remedies after the Commission's denial of any appeal.

25. **Notice of Intent to Use Protected Materials or Change Materials Designation.** Parties intending to use Protected Materials must notify the other parties prior to offering them into evidence or otherwise disclosing such information into the record of the proceeding. During the pendency of Docket No. 52147 at the Commission, in the event that a Reviewing Party wishes to disclose Protected Materials to any person to whom disclosure is not authorized by this Protective Order, or wishes to have changed the designation of certain information or material as Protected Materials by alleging, for example, that such information or material has entered the public domain, such Reviewing Party must first file and serve on all parties written notice of such proposed disclosure or request for change in designation, identifying with particularity each of such Protected Materials. A Reviewing Party will at any time be able to file a written motion to challenge the designation of information as Protected Materials.
26. **Procedures to Contest Disclosure or Change in Designation.** In the event that the party asserting confidentiality wishes to contest a proposed disclosure or request for change in designation, the party asserting confidentiality must file with the appropriate presiding officer its objection to a proposal, with supporting affidavits, if any, within five (5) working days after receiving such notice of proposed disclosure or change in designation. Failure of the party asserting confidentiality to file such an objection within this period will be deemed a waiver of objection to the proposed disclosure or request for change in designation. Within five (5) working days after the party asserting confidentiality files its objection and supporting materials, the party challenging confidentiality may respond. Any such response must include a statement by counsel for the party challenging such confidentiality that he or she has reviewed all portions of the materials in dispute and, without disclosing the Protected Materials, a statement as to why the Protected Materials should not be held to be confidential under current legal standards, or that the party asserting confidentiality for some reason did not allow such counsel to review such materials. If either party wishes to submit the material in question for in camera inspection, it must do so no later than five (5) working days after the party challenging confidentiality has made its written filing.
27. **Procedures for Presiding Officer Determination Regarding Proposed Disclosure or Change in Designation.** If the party asserting confidentiality files an objection, the appropriate presiding officer will determine whether the proposed disclosure or change in

designation is appropriate. Upon the request of either the producing or Reviewing Party or upon the presiding officer's own initiative, the presiding officer may conduct a prehearing conference. The burden is on the party asserting confidentiality to show that such proposed disclosure or change in designation should not be made. If the presiding officer determines that such proposed disclosure or change in designation should be made, disclosure must not take place earlier than three (3) full working days after such determination unless otherwise ordered. No party waives any right to seek additional administrative or judicial remedies concerning such presiding officer's ruling.

28. **Maintenance of Protected Status during Periods Specified for Challenging Various Orders.**

Any party electing to challenge, in the courts of this state, a Commission or presiding officer determination allowing disclosure or a change in designation will have a period of ten (10) days from: (a) the date of an unfavorable Commission order; or (b) if the Commission does not rule on an appeal of an interim order, the date an appeal of an interim order to the Commission is overruled by operation of law, to obtain a favorable ruling in state district court. Any party challenging a state district court determination allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from a state appeals court. Finally, any party challenging a determination of a state appeals court allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from the state supreme court, or other appellate court. All Protected Materials must be afforded the confidential treatment and status provided for in this Protective Order during the periods for challenging the various orders referenced in this paragraph. For purposes of this paragraph, a favorable ruling of a state district court, state appeals court, Supreme Court or other appellate court includes any order extending the deadlines in this paragraph.

29. **Other Grounds for Objection to Use of Protected Materials Remain Applicable.**

Nothing in this Protective Order precludes any party from objecting to the use of Protected Materials on grounds other than confidentiality, including the lack of required relevance. Nothing in this Protective Order constitutes a waiver of the right to argue for more disclosure, provided, however, that unless the Commission or a court orders such additional disclosure, all parties will abide by the restrictions imposed by the Protective Order.

30. **Protection of Materials from Unauthorized Disclosure.** All notices, applications, responses or other correspondence must be made in a manner which protects Protected Materials from unauthorized disclosure.
31. **Return of Copies of Protected Materials and Destruction of Information Derived from Protected Materials.** Following the conclusion of these proceedings, each Reviewing Party must, no later than thirty (30) days following receipt of the notice described below, return to the party asserting confidentiality all copies of the Protected Materials provided by that party pursuant to this Protective Order and all copies reproduced by a Reviewing Party, and counsel for each Reviewing Party must provide to the party asserting confidentiality a letter by counsel that, to the best of his or her knowledge, information, and belief, all copies of notes, memoranda, and other documents regarding or derived from the Protected Materials (including copies of Protected Materials) that have not been so returned, if any, have been destroyed, other than notes, memoranda, or other documents which contain information in a form which, if made public, would not cause disclosure of the substance of Protected Materials. As used in this Protective Order, “conclusion of these proceedings” refers to the exhaustion of available appeals, or the running of the time for the making of such appeals, as provided by applicable law. If, following any appeal, the Commission conducts a remand proceeding, then the “conclusion of these proceedings” is extended by the remand to the exhaustion of available appeals of the remand, or the running of the time for making such appeals of the remand, as provided by applicable law. Promptly following the conclusion of these proceedings, counsel for the party asserting confidentiality will send a written notice to all other parties, reminding them of their obligations under this Paragraph. Nothing in this Paragraph prohibits counsel for each Reviewing Party from retaining two (2) copies of any filed testimony, brief, application for rehearing, hearing exhibit or other pleading which refers to Protected Materials provided that any such Protected Materials retained by counsel will remain subject to the provisions of this Protective Order.
32. **Applicability of Other Law.** This Protective Order is subject to the requirements of the Public Information Act, the Open Meetings Act,² the Texas Securities Act³ and any other

² Tex. Gov’t Code § 551.001–.146.

³ Tex. Rev. Civ. Stat. Ann. arts. 581–1 to 581–43.

applicable law, provided that parties subject to those acts will notify the party asserting confidentiality, if possible under those acts, prior to disclosure pursuant to those acts. Such notice is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

33. **Procedures for Release of Information under Order.** If required by order of a governmental or judicial body, the Reviewing Party may release to such body the confidential information required by such order; provided, however, that: (a) the Reviewing Party must notify the producing party of the order requiring the release of such information within five (5) calendar days of the date the Reviewing Party has notice of the order; (b) the Reviewing Party must notify the producing party at least five (5) calendar days in advance of the release of the information to allow the producing party to contest any release of the confidential information; and (c) the Reviewing Party must use its best efforts to prevent such materials from being disclosed to the public. The terms of this Protective Order do not preclude the Reviewing Party from complying with any valid and enforceable order of a state or federal court with competent jurisdiction specifically requiring disclosure of Protected Materials earlier than contemplated herein. The notice specified in this section is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.
34. **Best Efforts Defined.** The term “best efforts” as used in the preceding paragraph requires that the Reviewing Party attempt to ensure that disclosure is not made unless such disclosure is pursuant to a final order of a Texas governmental or Texas judicial body, the written opinion of the Texas Attorney General sought in compliance with the Public Information Act, or the request of governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials. The Reviewing Party is not required to delay compliance with a lawful order to disclose such information but is simply required to timely notify the party asserting confidentiality, or its counsel,

that it has received a challenge to the confidentiality of the information and that the Reviewing Party will either proceed under the provisions of §552.301 of the Public Information Act, or intends to comply with the final governmental or court order. Provided, however, that no notice is required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

35. **Notify Defined.** “Notify” for purposes of Paragraphs 32, 33 and 34 means written notice to the party asserting confidentiality at least five (5) calendar days prior to release; including when a Reviewing Party receives a request under the Public Information Act. However, the Commission, OAG, or OPC may provide a copy of Protected Materials to the Open Records Division of the OAG as provided herein.
36. **Requests for Non-Disclosure.** If the producing party asserts that the requested information should not be disclosed at all, or should not be disclosed to certain parties under the protection afforded by this Protective Order, the producing party must tender the information for in camera review to the presiding officer within ten (10) calendar days of the request. At the same time, the producing party is required to file and serve on all parties its argument, including any supporting affidavits, in support of its position of non-disclosure. The burden is on the producing party to establish that the material should not be disclosed. The producing party must serve a copy of the information under the classification of Highly Sensitive Protected Material to all parties requesting the information that the producing party has not alleged should be prohibited from reviewing the information.

Parties wishing to respond to the producing party’s argument for non-disclosure must do so within five working days. Responding parties should explain why the information should be disclosed to them, including why disclosure is necessary for a fair adjudication of the case if the material is determined to constitute a trade secret. If the presiding officer finds that the information should be disclosed as Protected Material under the terms of this Protective Order, the presiding officer will stay the order of disclosure for such period of

time as the presiding officer deems necessary to allow the producing party to appeal the ruling to the Commission.

37. **Sanctions Available for Abuse of Designation.** If the presiding officer finds that a producing party unreasonably designated material as Protected Material or as Highly Sensitive Protected Material, or unreasonably attempted to prevent disclosure pursuant to Paragraph 36, the presiding officer may sanction the producing party pursuant to 16 TAC § 22.161.
38. **Modification of Protective Order.** Each party will have the right to seek changes in this Protective Order as appropriate from the presiding officer.
39. **Breach of Protective Order.** In the event of a breach of the provisions of this Protective Order, the producing party, if it sustains its burden of proof required to establish the right to injunctive relief, will be entitled to an injunction against such breach without any requirements to post bond as a condition of such relief. The producing party will not be relieved of proof of any element required to establish the right to injunctive relief. In addition to injunctive relief, the producing party will be entitled to pursue any other form of relief to which it is entitled.

ATTACHMENT A

Protective Order Certification

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket and that I have received a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. 52147. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated here will not apply.

Signature

Party Represented

Printed Name

Date

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

Signature

Party Represented

Printed Name

Date

ATTACHMENT B

I request to view/copy the following documents:

Document Requested	# of Copies	Non-Confidential	Protected Materials and/or Highly Sensitive Protected Materials

Signature

Party Represented

Printed Name

Date